IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

PROGRESSIVE PREFERRED)
INSURANCE COMPANY,)
Plaintiff,)))
v.) Civil Action Number: 3:06-CV-00934
)
JMP ENTERPRISES, INC.;)
JOHN MARK PARKER; and)
JENNIFER M. GOLDEN,)
)
Defendants.)

MOTION FOR SUMMARY JUDGMENT

COMES NOW the plaintiff, Progressive Preferred Insurance Company ("Progressive"), pursuant to Rule 56 of the Federal Rules of Civil Procedure, and moves the court to enter a summary judgment in its favor on the ground that there is no genuine issue as to any material fact and it is entitled to judgment as a matter of law.

This motion is based upon the pleadings and Progressive's policy. Progressive is submitting a memorandum brief in support of its motion.

/s/ R. Larry Bradford

R. Larry Bradford, Attorney for Plaintiff, Progressive Preferred Insurance Company Attorney Bar Code: BRA039

/s/ Shane T. Sears

Shane T. Sears, Attorney for Plaintiff, Progressive Preferred Insurance Company Attorney Bar Code: SEA026

OF COUNSEL:

Bradford & Sears, P.C. 2020 Canyon Road Suite 100 Birmingham, AL 35216

CERTIFICATE OF SERVICE

I hereby certify that I have this the <u>15th</u> day of June, 2007, served a copy of the foregoing on all attorneys of record by filing same electronically and/or placing a copy of same in the United States Mail, postage prepaid and properly addressed as follows:

G. Houston Howard, Esq. Howard, Dunn, Howard & Howard P.O. Box 1148 Wetumpka, Alabama 36092

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/s/ Shane T. Sears
OF COUNSEL